

Senate File 311 - Introduced

SENATE FILE 311
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 1115)

A BILL FOR

1 An Act providing for programs and regulations administered
2 and enforced by the department of agriculture and land
3 stewardship, providing fees, providing for the allocation of
4 moneys, and making penalties applicable.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

REGULATION OF COMMERCIAL ESTABLISHMENTS

Section 1. Section 162.2, subsection 19, Code 2023, is amended by striking the subsection and inserting in lieu thereof the following:

19. "Pet shop" means a facility where vertebrate animals, excluding fish, not born and reared on the facility's premises are bought, sold, exchanged, or offered for sale or exchange to the public, at retail. "Pet shop" does not include a facility if one of the following applies:

a. The facility receives less than one thousand dollars from the sale or exchange of vertebrate animals, excluding fish, during a twelve-month period.

b. The facility sells or exchanges less than twelve vertebrate animals, excluding fish, during a twelve-month period.

Sec. 2. Section 162.2A, subsection 3, paragraph d, Code 2023, is amended to read as follows:

~~d. The person's~~ An official government-issued photo identification number of the person. ~~Notwithstanding chapter 22, the department shall keep the person's tax identification number confidential except for purposes of tax administration by the department of revenue, including as provided in section 421.18.~~

DIVISION II

GRAIN REGULATION

PART A

GRAIN DEALERS

Sec. 3. Section 203.1, Code 2023, is amended by adding the following new subsection:

NEW SUBSECTION. 12A. "Scale weight ticket" means the same as defined in section 203C.1.

Sec. 4. Section 203.5, subsection 8, paragraph a, Code 2023, is amended to read as follows:

a. The applicant has caused liability to the Iowa grain

1 depositors and sellers indemnity fund in regard to a license
2 issued under [this chapter](#) or [chapter 203C](#), and the liability
3 has not been discharged, settled, or satisfied.

4 Sec. 5. Section 203.11, subsection 2, paragraph a,
5 subparagraph (3), Code 2023, is amended to read as follows:

6 (3) Uses a scale weight ticket or credit-sale contract in
7 violation of [this chapter](#) or a requirement established by the
8 department under [this chapter](#).

9 Sec. 6. Section 203.15, subsection 2, paragraph f, Code
10 2023, is amended to read as follows:

11 f. The duration of the credit-sale contract, which shall
12 not exceed ~~twelve~~ fifteen months from the date the contract is
13 executed.

14 Sec. 7. Section 203.17, Code 2023, is amended to read as
15 follows:

16 **203.17 Documents and records.**

17 1. The department may adopt rules specifying the form,
18 content, use, and maintenance of documents issued by a grain
19 dealer under [this chapter](#) including but not limited to scale
20 weight tickets, settlement sheets, daily position records, and
21 credit-sale contracts. The department may adopt rules for
22 both printed and electronic documents, including rules for
23 the transmission, receipt, authentication, and archiving of
24 electronically generated or stored documents.

25 2. All scale weight ticket forms in the possession of a
26 grain dealer shall have been permanently and consecutively
27 numbered at the time of printing. A grain dealer shall
28 maintain an accurate record of all scale weight ticket numbers.
29 The record shall include the disposition of each numbered form,
30 whether issued, destroyed, or otherwise disposed of.

31 Sec. 8. Section 203.20, Code 2023, is amended to read as
32 follows:

33 **203.20 Shrinkage adjustments — disclosures — penalties.**

34 1. A person who, in connection with the receipt of
35 ~~corn or soybeans~~ grain for storage, processing, or sale,

1 adjusts the scale weight of the grain to compensate for the
2 moisture content of the grain shall compute the amount of
3 the adjustment by multiplying the scale weight of the grain
4 by that factor which results in a rate of adjustment of one
5 and eighteen hundredths percent of weight per one percent of
6 moisture content. ~~The use of~~ person who uses any rate of
7 weight adjustment for moisture content other than the one
8 prescribed by this subsection ~~is~~ commits a fraudulent practice
9 as defined in section 714.8. The person shall post on the
10 business premises in a conspicuous place notice of the rate
11 of adjustment for moisture content ~~that is~~ as prescribed by
12 this subsection. ~~Failure~~ The person who fails to make this
13 disclosure ~~is~~ commits a simple misdemeanor.

14 2. A person who, in connection with the receipt of grain for
15 storage, processing, or sale, adjusts the quantity of the grain
16 received to compensate for losses to be incurred during the
17 handling, processing, or storage of the grain shall post on the
18 business premises in a conspicuous place notice of the rate of
19 adjustment to be made for this shrinkage. ~~Failure~~ The person
20 who fails to make ~~the required~~ this disclosure ~~is~~ commits a
21 simple misdemeanor.

22 3. A person who adjusts the scale weight of ~~corn or soybeans~~
23 ~~both~~ grain for moisture content and for handling, processing,
24 or storage losses may combine the two adjustment factors into
25 a single factor and may use this resulting factor to compute
26 the amount of weight adjustment in connection with storage,
27 processing, or sale transactions, provided that the person
28 shall post on the business premises in a conspicuous place a
29 notice that discloses the moisture shrinkage factor prescribed
30 by subsection 1, the handling shrinkage factor to be imposed,
31 and the single factor that results from combining these
32 factors. ~~Failure~~ The person who fails to make ~~the required~~
33 this disclosure ~~is~~ commits a simple misdemeanor.

34 PART B

35 WAREHOUSE OPERATORS

1 Sec. 9. Section 203C.5, subsection 2, Code 2023, is amended
2 to read as follows:

3 2. a. The department may adopt rules specifying the
4 form, content, and use of documents issued by a warehouse
5 operator under this chapter including but not limited to scale
6 weight tickets, warehouse receipts, settlement sheets, and
7 daily position records. The department may adopt rules for
8 both printed and electronic documents, including rules for
9 the transmission, receipt, authentication, and archiving of
10 electronically generated or stored documents.

11 b. All scale weight ticket forms and warehouse receipt
12 forms in the possession of a warehouse operator shall have been
13 permanently and consecutively numbered at the time of printing.
14 A warehouse operator shall maintain an accurate record of
15 the numbers of these documents. The record shall include
16 the disposition of each form, whether issued, destroyed, or
17 otherwise disposed of. The department may by rule require this
18 use of prenumbered forms and recording for documents other than
19 scale weight tickets and warehouse receipts.

20 Sec. 10. Section 203C.6, subsection 8, paragraph a, Code
21 2023, is amended to read as follows:

22 a. The applicant has caused liability to the Iowa grain
23 depositors and sellers indemnity fund through operations under
24 a license issued under this chapter or chapter 203, and the
25 liability has not been discharged, settled, or satisfied.

26 Sec. 11. Section 203C.17, subsections 1, 2, 3, 4, and 5,
27 Code 2023, are amended to read as follows:

28 1. ~~Any grain which has been received at any~~ Grain deposited
29 with a licensed warehouse operator for which the actual sale
30 price ~~is~~ has not been fixed and either proper documentation
31 ~~made~~ has not been furnished or payment has not been made shall
32 be ~~construed to be grain held for storage within the meaning of~~
33 this chapter. ~~Grain may be held~~ considered stored grain and
34 may be retained in open storage or placed on under warehouse
35 receipt. ~~A warehouse receipt shall be issued for all grain~~

~~1 held in open storage within one year from the date of delivery~~
~~2 to the warehouse, unless the depositor has signed a statement~~
~~3 that the depositor does not desire a warehouse receipt. A~~ The
4 licensed warehouse operator shall issue a warehouse receipt
5 shall be issued to the depositor upon request by the depositor.
6 The warehouse operator's tariff shall apply ~~for~~ to any grain
7 that is retained in open storage or placed under warehouse
8 receipt as provided in section 203C.18.

9 2. Bulk grain deposited with a licensed warehouse operator
10 for processing, cleaning, drying, shipping for the account of
11 the depositor, or any other purpose shall be removed within
12 thirty days from the date of deposit or such grain shall be
13 ~~determined as considered~~ stored grain ~~and the.~~ The warehouse
14 operator's tariff ~~charges~~ shall apply to the bulk grain as
15 provided in section 203C.28.

16 3. Grain ~~received on~~ deposited and subject to a scale weight
17 ticket ~~which~~ that fails to have the price fixed and properly
18 documented on the records of the licensed warehouse operator
19 shall be ~~construed to be~~ retained in open storage.

20 4. All bulk grain whether retained in open storage and
21 deposited subject to a scale weight ticket or ~~having been~~
22 placed ~~on~~ under warehouse receipt is covered by the grain
23 depositors and sellers indemnity fund ~~created in~~ as provided in
24 chapter 203D.

25 5. Any grain which has been received at any An unlicensed
26 warehouse ~~and for which the~~ operator shall not retain deposited
27 bulk grain, if its actual sale price has not been fixed, and
28 payment for the bulk grain has not been made within thirty days
29 ~~from receipt of the grain~~ its date of deposit, unless covered
30 purchased by a credit-sale contract, ~~shall be construed to be~~
31 ~~unlawful storage within the meaning of~~ this chapter. Bulk
32 ~~grain received at any~~ An unlicensed warehouse ~~for any~~ operator
33 who retains deposited bulk gain under any other purpose
34 circumstance must either be returned return the bulk grain to
35 the depositor, or ~~disposed of~~ dispose of the bulk grain by

1 order of the depositor, within thirty days from date of ~~actual~~
2 the deposit of the bulk grain.

3 Sec. 12. Section 203C.25, Code 2023, is amended to read as
4 follows:

5 **203C.25 Shrinkage adjustments — disclosures — penalties.**

6 1. A person who, in connection with the receipt of
7 ~~corn or soybeans~~ grain for storage, processing, or sale,
8 adjusts the scale weight of the grain to compensate for the
9 moisture content of the grain shall compute the amount of
10 the adjustment by multiplying the scale weight of the grain
11 by that factor which results in a rate of adjustment of one
12 and eighteen hundredths percent of weight per one percent of
13 moisture content. ~~The use of~~ person who uses any rate of
14 weight adjustment for moisture content other than the one
15 prescribed by this subsection ~~is~~ commits a fraudulent practice
16 as defined in section 714.8. The person shall post on the
17 business premises in a conspicuous place notice of the rate
18 of adjustment for moisture content ~~that is~~ as prescribed by
19 this subsection. ~~Failure~~ The person who fails to make this
20 disclosure ~~is~~ commits a simple misdemeanor.

21 2. A person who, in connection with the receipt of grain for
22 storage, processing, or sale, adjusts the quantity of the grain
23 received to compensate for losses to be incurred during the
24 handling, processing, or storage of the grain shall post on the
25 business premises in a conspicuous place notice of the rate of
26 adjustment to be made for this shrinkage. ~~Failure~~ The person
27 who fails to make ~~the required~~ this disclosure ~~is~~ commits a
28 simple misdemeanor.

29 3. A person who adjusts the scale weight of ~~corn or soybeans~~
30 ~~both~~ grain for moisture content and for handling, processing,
31 or storage losses may combine the two adjustment factors into
32 a single factor and may use this resulting factor to compute
33 the amount of weight adjustment in connection with storage,
34 processing, or sale transactions, provided that the person
35 shall post on the business premises in a conspicuous place a

1 notice that discloses the moisture shrinkage factor prescribed
2 by [subsection 1](#), the handling shrinkage factor to be imposed,
3 and the single factor that results from combining these
4 factors. ~~Failure~~ The person who fails to make the required
5 this disclosure is commits a simple misdemeanor.

6 Sec. 13. Section 203C.36, subsection 2, paragraph a,
7 subparagraph (3), Code 2023, is amended to read as follows:

8 (3) Uses a scale weight ticket, warehouse receipt, or
9 other document in violation of [this chapter](#) or requirements
10 established by the department under [this chapter](#).

11 PART C

12 INDEMNITY FUND

13 Sec. 14. Section 203D.1, Code 2023, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 14A. *"Scale weight ticket"* means the same
16 as defined in section 203C.1.

17 DIVISION III

18 WEIGHTS AND MEASURES

19 PART A

20 LICENSING, INSPECTIONS, AND FEES

21 Sec. 15. Section 214.2, Code 2023, is amended to read as
22 follows:

23 **214.2 License.**

24 1. A person who uses or displays for use any commercial
25 weighing and measuring device, ~~as defined in [section 215.1](#),~~
26 ~~shall secure~~ must be issued a license ~~from~~ by the department
27 for that device. The department shall issue the license after
28 inspecting the device.

29 2. a. Except as provided in paragraph "b", a license issued
30 under subsection 1 shall expire on December 31 of each year.

31 b. A license issued under subsection 1 for a motor fuel pump
32 shall expire on June 30 of each year.

33 Sec. 16. Section 214.3, subsection 1, Code 2023, is amended
34 by striking the subsection.

35 Sec. 17. Section 214.3, subsection 2, Code 2023, is amended

1 to read as follows:

2 2. ~~The A license inspection fee is imposed on a person~~
3 ~~who uses or displays for use a commercial weighing and~~
4 ~~measuring device. The license fee is due the day the device~~
5 ~~is placed into service department issues the license. A~~
6 ~~license inspection fee shall be charged to the person owning~~
7 ~~or operating a commercial weighing and measuring device~~
8 ~~inspected~~ The amount of the license fee shall be calculated in
9 accordance with the class or section for devices as established
10 by handbook 44 of the United States national institute of
11 standards and technology.

12 Sec. 18. Section 214.11, subsection 1, Code 2023, is amended
13 to read as follows:

14 1. The department shall provide for ~~annual~~ biennial
15 inspections of all motor fuel pumps, including but not limited
16 to motor fuel blender pumps, licensed under this chapter.
17 Inspections shall be for the purpose of determining the
18 accuracy and correctness of motor fuel pumps. For that purpose
19 the department's inspectors may enter upon the premises of any
20 a wholesale dealer or a retail dealer motor fuel site.

21 Sec. 19. Section 215.2, Code 2023, is amended to read as
22 follows:

23 **215.2 Special inspection tests — request — fees.**

24 1. The owner or servicer of a commercial weighing and
25 measuring device may request the department conduct a special
26 inspection test of the device to determine its accuracy and
27 correctness.

28 2. The fee for special tests, including but not limited to,
29 using state inspection equipment, for the calibration, testing,
30 certification, or repair conducting a special inspection test
31 of a commercial weighing and measuring device shall be paid
32 by the owner or servicer ~~or person~~ requesting the special
33 inspection test in accordance with the following schedule:

34 ~~1.~~ a. Class S, scales, seventy-five dollars per hour.

35 ~~2.~~ b. Class M, meters, fifty-two dollars and fifty cents

1 per hour.

2 Sec. 20. REPEAL. Section 215.12, Code 2023, is repealed.

3 PART B

4 MOTOR FUEL STANDARDS AND CLASSIFICATIONS

5 Sec. 21. Section 159A.6, subsection 1, paragraph c, Code
6 2023, is amended to read as follows:

7 c. Develop standards for decals required pursuant to
8 section ~~214A.16~~ 214A.21A, which shall be designed to promote
9 the advantages of using renewable fuels. The standards may be
10 incorporated within a model decal adopted by the office.

11 Sec. 22. Section 214A.1, subsection 2, Code 2023, is amended
12 to read as follows:

13 2. "*ASTM international*" means a nonprofit organization,
14 previously named the American society for testing and materials
15 international.

16 Sec. 23. Section 214A.1, Code 2023, is amended by adding the
17 following new subsections:

18 NEW SUBSECTION. 9A. "*Coprocess*" means to simultaneously
19 process a renewable biomass or a biointermediate with a fossil
20 fuel or other nonrenewable feedstock in the same unit or units
21 to produce a fuel that is partially derived from a renewable
22 biomass or biointermediate.

23 NEW SUBSECTION. 33A. a. "*Renewable diesel*" means a motor
24 fuel for use in an internal combustion engine and ignited by
25 pressure without the presence of an electric spark, which
26 is produced from nonfossil renewable resources, including
27 agricultural plants, animal fats, residue, and waste generated
28 from the production, processing, and marketing of agricultural
29 products, and other renewable resources.

30 b. "*Renewable diesel*" must meet the standards provided in
31 section 214A.2.

32 c. "*Renewable diesel*" does not include any of the following:

33 (1) Biodiesel.

34 (2) A fuel that has been coprocessed.

35 NEW SUBSECTION. 33B. "*Renewable diesel blended fuel*" means

1 a blend of renewable diesel with petroleum-based diesel fuel,
2 biodiesel, or a combination of petroleum-based diesel fuel and
3 biodiesel, which meets the standards, including separately
4 the standard for its renewable diesel component, provided in
5 section 214A.2.

6 Sec. 24. Section 214A.2, subsection 4, Code 2023, is amended
7 by adding the following new paragraph:

8 NEW PARAGRAPH. *c.* (1) If the motor fuel is advertised
9 for sale or sold as renewable diesel or renewable diesel
10 blended fuel, the motor fuel must meet departmental standards
11 based in part or in whole on specifications adopted by ASTM
12 international for renewable diesel or renewable diesel blended
13 motor fuel, to every extent applicable, as determined by the
14 department subject to subparagraph (2).

15 (2) Renewable diesel must at least meet departmental
16 standards based in whole or in part on ASTM international
17 specification D975, or a successor ASTM international
18 specification, established by rule. The specification shall
19 apply to renewable diesel before it leaves its place of
20 manufacture.

21 Sec. 25. Section 214A.2, subsection 5, Code 2023, is amended
22 by adding the following new paragraph:

23 NEW PARAGRAPH. *d.* (1) Renewable diesel shall be classified
24 RD-100.

25 (2) Renewable diesel blended fuel shall be classified RD-xx
26 where "xx" is the volume percent of renewable diesel.

27 Sec. 26. Section 214A.2B, Code 2023, is amended to read as
28 follows:

29 214A.2B Laboratory for motor fuel and biofuels fuels,
30 biofuels, and renewable fuels.

31 A laboratory for motor fuel and biofuels is established at a
32 community college which is engaged in biofuels testing on July
33 1, 2007, and which testing includes but is not limited to The
34 Iowa central fuel testing laboratory at Iowa central community
35 college shall test motor fuels, biofuels, and renewable fuels,

1 including but not limited to B-20 biodiesel fuel testing for
2 use by motor trucks and the ability of biofuels to meet ASTM
3 international standards. The laboratory shall conduct the
4 testing of motor ~~fuel~~ fuels sold in this state and ~~biofuel~~
5 ~~which is biofuels~~ blended in with motor fuel fuels in this
6 state to ensure that the motor ~~fuel or~~ fuels, biofuels, and
7 renewable fuels meet ~~the requirements~~ departmental standards
8 in [section 214A.2](#).

9

PART C

10

CODE EDITOR DIRECTIVE

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Sec. 27. CODE EDITOR DIRECTIVE.

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1. The Code editor is directed to make the following

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transfer:

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Section 214A.16 to section 214A.21A.

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2. The Code editor shall correct internal references in the

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Code and in any enacted legislation as necessary due to the

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enactment of this section.

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DIVISION IV

19

WATER QUALITY

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Sec. 28. Section 466B.43, subsection 6, Code 2023, is

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amended to read as follows:

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6. ~~By October 1, 2019, and each October 1 thereafter of~~

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each year, the division shall submit a report to the governor

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and the general assembly itemizing expenditures, by hydrologic

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unit code 8 watershed, under the programs, if any, during the

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previous fiscal year, ~~if any.~~

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Sec. 29. Section 466B.44, subsection 5, Code 2023, is

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amended to read as follows:

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5. Notwithstanding any other provision in [this section](#)

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to the contrary, ~~beginning on July 1, 2018,~~ the division

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may use any amount available to support the water quality

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urban infrastructure program to instead ~~extend~~ do any of the

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following:

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a. Extend and support the three-year data collection of

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in-field agricultural practices project as enacted in 2015 Iowa

1 Acts, ch. 132, §18.

2 b. Support water quality agriculture infrastructure programs
3 created in section 466B.43.

4 Sec. 30. Section 466B.44, subsection 7, Code 2023, is
5 amended to read as follows:

6 7. By ~~October 1, 2019, and by~~ October 1 of each year
7 ~~thereafter~~, the division shall submit a report to the governor
8 and the general assembly itemizing expenditures under the
9 program, if any, during the previous fiscal year.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 GENERAL. This bill relates to a number of regulations
14 and programs administered and enforced by the department of
15 agriculture and land stewardship (DALs). Specifically, the
16 bill amends provisions regulating commercial establishments
17 engaged in the transfer or use of vertebrate animals (animals)
18 other than agricultural animals, including animal shelters,
19 boarding kennels, commercial breeders, commercial kennels,
20 dealers, pet shops, pounds, public auctions, and research
21 facilities (Code chapter 162). The bill regulates grain
22 transactions including by grain dealers (dealers) and warehouse
23 operators (operators) (Code chapters 203 and 203C) and the
24 indemnification of losses by sellers or depositors from the
25 grain depositors and sellers indemnity fund (Code chapter
26 203D). The bill also regulates the commercial use of weights
27 and measures, including motor fuel pumps (fuel pumps) that are
28 part of motor fuel dispensers (dispensers), and types of motor
29 fuel advertised for sale (Code chapters 214, 214A, and 215),
30 including diesel fuel for use in certain internal combustion
31 engines. Finally, the bill provides for the expenditure of
32 moneys for surface water quality initiatives (initiatives) in
33 order to assess and reduce nutrients in this state's watersheds
34 (Code chapter 466B) in conformance with the Iowa nutrient
35 reduction strategy (Code section 455B.171).

1 COMMERCIAL ESTABLISHMENTS — REGULATION. Under current law,
2 a business classified as a pet shop is a type of establishment
3 required to be annually licensed (Code section 162.5) and pay
4 an associated fee (Code section 162.2B). A business is not
5 regulated as a pet shop if, during the prior 12-month period,
6 the business either receives less than \$500 or transfers
7 less than six animals. The bill doubles the exemption
8 qualifications to less than \$1,000 or less than 12 animals
9 (amended Code section 162.2).

10 A person applying to be issued an authorization for the
11 operation of any commercial establishment must provide DALS
12 the person's tax identification number. The bill eliminates
13 that requirement and instead requires the person to provide an
14 official government-issued photo identification of the person
15 (amended Code section 162.2A).

16 COMMERCIAL ESTABLISHMENTS — PENALTY. A person who operates
17 a commercial establishment in violation of authorization
18 requirements is guilty of a simple misdemeanor (Code section
19 162.13).

20 GRAIN REGULATION — BACKGROUND. As part of a grain
21 transaction, an operator issues a prenumbered scale
22 weight ticket to a depositor as evidence of stored grain.
23 Alternatively, the operator may issue a warehouse receipt as a
24 form which may be a document of title and therefore negotiable
25 (Code chapter 554, Art. 7). In order for a seller or depositor
26 to be indemnified for a loss by the fund, the dollar value of
27 a claim for transferred grain is based on either a warehouse
28 receipt or scale weight ticket (Code section 203D.6).

29 GRAIN REGULATION — TERMS. Currently, several different
30 terms are used to describe the same item. The bill changes
31 the terms to be uniform, including "scale ticket" to "scale
32 weight ticket" and "Iowa grain depositors and sellers indemnity
33 fund" to "grain depositors and sellers indemnity fund", which
34 are both defined (amended Code sections 203.1, 203.5, 203.11,
35 203.17, 203C.5, 203C.6, 203C.17, 203C.36, and 203D.1).

1 GRAIN REGULATION — CREDIT-SALE CONTRACT. A buyer and
2 seller of grain may execute a credit-sale contract, also known
3 as a price-later contract, for transfer of title, in which the
4 seller delivers the grain to the buyer who pays the seller
5 a price more than 30 days later (Code section 203.1). In
6 order to engage in these transactions, a buyer who is a grain
7 dealer must maintain a class 1 license requiring a net worth
8 of at least \$75,000 (Code section 203.3(4)), the parties must
9 execute a contract form meeting statutory requirements (amended
10 Code section 203.15(2)), and the grain is not considered as
11 purchased grain covered by the grain depositors and sellers
12 indemnity fund (Code section 203D.6(4)). The bill extends the
13 maximum period of a credit-sale contract's duration, requiring
14 later payment for the delivered grain, from 12 to 15 months
15 (amended Code section 203.15(2)).

16 GRAIN REGULATION — GRAIN MOISTURE CONTENT. A person
17 receiving corn or soybeans as part of a transaction involving
18 storage, processing, or sale may adjust the scale weight to
19 account for moisture content (i.e., reducing the scale weight
20 by a special factor calculated for each 1 percent of moisture
21 content). The bill provides that the adjustment applies to all
22 grain in which there are standards established by the United
23 States department of agriculture (Code sections 203.1 and
24 203C.1 and amended Code sections 203.20 and 203C.25).

25 GRAIN REGULATION — OPEN STORAGE. An operator may retain
26 delivered grain in open storage (meaning without issuing a
27 warehouse receipt or making a purchase) subject to certain
28 limitations. Grain subject to a scale weight ticket without
29 having the price fixed and documented by the operator is
30 considered to be retained in open storage. Currently, if
31 grain is retained in open storage, the operator must issue the
32 depositor a warehouse receipt within one year of the grain's
33 delivery date, unless the depositor signs a statement refusing
34 it. The bill eliminates this requirement. Upon request, the
35 operator must still issue the depositor a warehouse receipt

1 (amended Code section 203C.17).

2 GRAIN REGULATION — PENALTIES. A person who violates Code
3 chapter 203 or 203C is guilty of a simple misdemeanor (Code
4 sections 203.11 and 203C.36).

5 WEIGHTS AND MEASURES. A person who uses or displays a
6 commercial weighing or measuring device (device) must be
7 licensed. The term of the license is 12 months. Generally,
8 the term is on a calendar year basis (January 1 to December
9 31) but for motor fuel pumps the term is on a fiscal year
10 basis (July 1 to June 30). A fee is required for the issuance
11 of the license and an inspection (license inspection fee)
12 first due when the device is placed into service. DALs is
13 expressly required to inspect motor fuel pumps each year. The
14 bill provides that the fee is for the issuance of the license
15 rather than the inspection, the license fee is due when the
16 license is issued, and that DALs must inspect motor fuel pumps
17 on a biennial basis (amended Code sections 214.2, 214.3, and
18 214.11). The bill also eliminates a requirement that persons
19 engaged in repairing scales must file a bond with the state
20 (repealed Code section 215.12).

21 WEIGHTS AND MEASURES — MOTOR FUEL STANDARDS AND
22 CLASSIFICATIONS. Motor fuels include fossil (petroleum) based
23 gasoline and diesel fuel as well as certain biofuel components
24 derived from renewable (nonpetroleum) resources such as ethanol
25 classified as E-100 and biodiesel comprised of monoalkyl esters
26 of long-chain fatty acids and classified as B-100. Both types
27 of substances are used to produce renewable fuels (e.g., E-15
28 or B-5) subject to separate departmental standards based on
29 ASTM international (ASTM) specifications. The bill regulates
30 another liquid fuel referred to renewable diesel classified as
31 RD-100 that may be used as a motor fuel or a blending component
32 and classified as RD-xx. RD-100 is produced from nonfossil
33 renewable resources but is not biodiesel due to manufacturing
34 processes. Petroleum-based diesel fuel and RD-100 are subject
35 to the same ASTM specification D975 while B-100 is subject to

1 ASTM specification D6751 (amended Code sections 214A.1 and
2 214A.2).

3 WEIGHTS AND MEASURES — TESTING LABORATORY. The bill
4 expressly recognizes the Iowa central fuel testing laboratory
5 at Iowa central community college as the official laboratory
6 for testing motor fuels, biofuels, and renewable fuels (amended
7 Code section 214A.2B).

8 WEIGHTS AND MEASURES — CODE EDITOR DIRECTIVE. The bill
9 transfers Code section 214A.16 from subchapter I to subchapter
10 II of Code chapter 214A. The Code section regulates a notice
11 required to be posted for consumers purchasing renewable fuels.
12 In 2022, the general assembly enacted 2022 Iowa Acts, chapter
13 1152, which reorganized Code chapter 214A. Subchapter I
14 regulates general matters such as standards and classifications
15 and subchapter II regulates the advertisement, sale, and use
16 of motor fuel.

17 WEIGHTS AND MEASURES — PENALTY. A person who fails to allow
18 for an inspection of a motor fuel pump is guilty of a simple
19 misdemeanor.

20 WATER QUALITY. DALS regulates two water quality
21 initiatives, including water quality agriculture infrastructure
22 programs (amended Code section 466B.43) and the water quality
23 urban infrastructure program (amended Code section 466B.44).
24 The initiative is supported by the water quality initiative
25 fund (Code section 466B.45), the water quality infrastructure
26 fund (Code section 8.57B), and the water quality financial
27 assistance fund (Code section 16.134A). Moneys in the last
28 fund (15 percent) are appropriated to support the water quality
29 urban infrastructure program. The bill provides that DALS
30 may use moneys available to support the water quality urban
31 infrastructure program to instead support the water quality
32 agriculture infrastructure programs. The bill also eliminates
33 dates in several Code sections that are now extraneous.

34 APPLICABLE PENALTIES. A simple misdemeanor is punishable by
35 confinement for no more than 30 days and a fine of at least \$105

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1 but not more than \$855.